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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,893	04/20/2001	Tony Valenzuela	PALM-3624	4291

7590 03/10/2004
WAGNER, MURABITO & HAO LLP
Third Floor
Two North Market Street
San Jose, CA 95113

EXAMINER

LE, UYEN CHAU N

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 03/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/839,893	VALENZUELA ET AL.	
	Examiner	Art Unit	
	Uyen-Chau N. Le	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 16-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 16-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Prelim. Amdt/Amendment

1. Receipt is acknowledged of the Amendment filed 13 January 2004.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
4. Claims 1-12 and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeFrasne et al (US 5,603,629) in view of Wallace et al (US 5,933,328).

Re claims 1-12 and 16-21: DeFrasne et al discloses an apparatus/SIM card door for holding a SIM card 70 for an electronic device comprising a SIM card 70; a printed circuit board 20; a SIM connector 15 mounted on the printed circuit board 20; a SIM card door 22 for

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releasably holding the SIM card 70, the SIM card door 22 is configured to move the SIM card 70 into engagement with the SIM connector 15 when in a closed position, to releasably hold the SIM card 70 such that the SIM card 70 is properly aligned with the SIM connector 15 when the SIM card door 22 is moved into the closed position, to slidably [slide tracks 4] accept the SIM card 70 into a properly aligned position when the SIM card door 22 is in the open position; a plurality of groves [44, 50], which serves as holders disposed on the surface of the SIM card door 22, the groves/holders [44, 50] configured to hold the SIM card 70 in the proper position, to hold the SIM card 70 when the SIM card door 22 is in the open position; the SIM card door 22 is releasably engageable with a housing and is including a latch in order to maintain the closed position and the housing is for containing an electronic device (e.g., a personal information device) (see figs. 1 and 3a; col. 2, line 15 through col. 44).

DeFrasne et al fails to teach or fairly suggest that the electronic device is a personal digital assistant and the printed circuit board is mounted within a single piece back housing of the personal digital assistant.

Wallace et al teaches an apparatus for holding a SIM card 23 for a mobile phone 11, which serves as a personal digital assistant and the printed circuit board is mounted within a single piece back housing of the mobile phone 11 (see fig. 8; col. 4, lines 45+).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the teachings of Wallace et al into the teachings of DeFrasne et al in order to provide DeFrasne et al with a better protection of the printed circuit board (i.e., mounted within the housing). Furthermore, such modification would provide DeFrasne et al with a more compact system (i.e., due to a single piece back housing), which the user can carry

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along within his/her pocket/purse conveniently. Accordingly, such modification would have been merely a substitution of equivalents (i.e., the electronic device is a personal digital assistant such as cellular phone, pagers, etc.) and an obvious engineering variation, well within the ordinary skill in the art, and therefore an obvious expedient.

Response to Arguments

5. Applicant's arguments with respect to claims 1-12 and 16-21 have been considered but are moot in view of the new ground(s) of rejection.

Newly cited reference to Wallace et al was used to further meet the newly added limitation (i.e., a single piece back housing) of the claimed invention.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The patent to Suzuki (US 6,468,101) is cited as of interest and illustrates a similar structure to an apparatus and system of AN WTEGMED SIM HOLDER WITH BACKCASE AND ROTATING DOOR.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**


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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen-Chau N. Le whose telephone number is 571-272-2397. The examiner can normally be reached on MON-FRI 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MICHAEL G LEE can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Uyen-Chau N. Le
February 24, 2004


MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800